

4613

1 BILL NO. Z-79-09-06

2 ZONING MAP ORDINANCE NO. Z-11-80

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. R-3.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

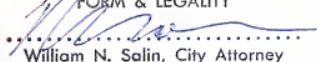
7 SECTION 1. That the area described as follows is hereby design-  
8 nated a B3B District under the terms of Chapter 33, Municipal Code of the  
9 City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort  
10 Wayne Zoning Map No. R-3, referred to therein, established by Section 33-11,  
11 of said Chapter are hereby changed accordingly, to wit:

12 Lot 116, 117, 118, 119 and 120 in Eastwood Addition  
13 to the City of Fort Wayne

14 SECTION 2. That this Ordinance shall be in full force and effect  
15 from and after its passage, approval by the Mayor and legal publication  
16 thereof.

17   
18 Councilman

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32 APPROVED AS TO  
FORM & LEGALITY

  
William N. Salin, City Attorney

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN  
CITY CLERK

*Chuck*

Read the third time in full and on motion by \_\_\_\_\_, seconded by *Chuck*, and duly adopted, placed on its passage. PASSED *Unanimously* by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-8-80

*Charles W. Westerman*  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-11-80  
on the 8th day of April, 1980.

ATTEST:

*Charles W. Westerman*  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)

*Vivian G. Schmidt*  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of April, 1980, at the hour of 11:30 'clock A. M., E.S.T.

*Charles W. Westerman*  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 9th day of April, 1980, at the hour of 4 o'clock P. M., E.S.T.

*Winfield C. Moses Jr.*  
WINFIELD C. MOSES, JR.  
MAYOR

Read the first time in full and on motion by Nichols, seconded by  
Stev, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.T.

DATE: 9-11-79

Charles W. Lettsman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>/</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>/</u>	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
(RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.  
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

*(Signature)*  
BILL NO. Z-79-09-06

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-3

[Six blank lines for signatures]

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN EISBART, CHAIRMAN

*Ben Eisbart*

JOHN NUCKOLS, VICE CHAIRMAN

*John Nuckols*

JAMES S. STIER

*James S. Stier*

SAMUEL J. TALARICO

*Samuel J. Talarico*

DONALD J. SCHMIDT

*Donald J. Schmidt*

*4/8-80*  
CONCURRED IN  
DATE 4/8-80 CHARLES W. WESTERMAN, CITY CLERK.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 11, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-09-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 15, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1980.

Certified and signed this  
17th day of March 1980.

*tu. Joyce Schlatter*

Joyce Schlatter  
Secretary

**RECEIPT**

Date

8-22 79

19

No.

10839

Received From

Helm, Burns, Boyer &amp; Wagner

Address

309 Standard Bldg.

FOR

Filing ~~0.900~~ Dollars \$ 50.00  
for Zoning R-1 & B-3-B

## ACCOUNT

## HOW PAID

AMT. OF  
ACCOUNT

CASH

AMT. PAID

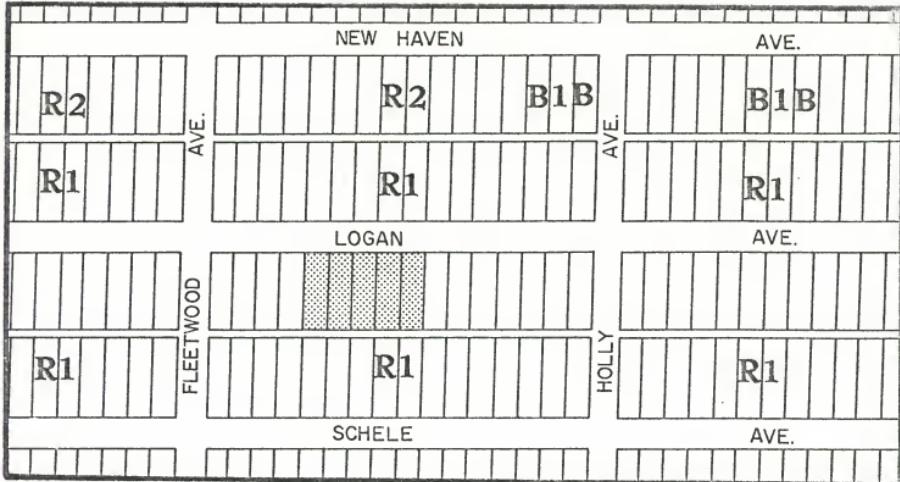
CHECK

BALANCE  
DUEMONEY  
ORDER

By

ParB.

K#  
94/39



MAP NR. - R-3

Z-79-09-06



DEVELOPMENT AGREEMENT

IN RE: BILL NO. Z-79-09-06

FOR AND IN CONSIDERATION OF THE CITY PLAN COMMISSION of the City of Fort Wayne, proposing, on March 5, 1980, to the City Council of the City of Fort Wayne, that the following described real estate situated in Fort Wayne, Allen County, Indiana, be re-zoned from a "R-1" Zoning District to a "R-3" Zoning District, to-wit:

Lots No. 116, 117, 118, 119, and 120, in Eastwood Addition, an Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded Plat thereof,

the undersigned, O'Dell Mason, the owner and developer of the above described real estate, residing at 3720 Reynolds Street, Fort Wayne, Indiana, hereby agrees and covenants that he will, at the time construction permits are requested of the City of Fort Wayne, include in his site plan, a description of a landscape buffer to be constructed along the South, East and West property lines of the development project. It is understood and agreed by the undersigned that he will not receive a construction permit unless and until such site plan includes such landscape buffer.

IN WITNESS WHEREOF, the undersigned has hereto set his hand this 11th day of March, 1980, at Fort Wayne, Indiana.

*O'Dell Mason*  
O'DELL MASON

STATE OF INDIANA  
SS:  
COUNTY OF ALLEN

Before me, the undersigned a Notary Public in and for said County and State personally appeared O'Dell Mason, who acknowledged the execution of the above and foregoing Development Agreement to be his voluntary act and deed this 11th day of March, 1980.

*Nancy M. Seibert*  
Nancy M. Seibert, NOTARY PUBLIC

My Commission Expires:  
November 27, 1982

A resident of Allen County, Indiana



PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We O'DELL MASON

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B3B District the property described as follows:

Lot 116, 117, 118, 119 and 120 in Eastwood Addition to the

City of Fort Wayne (Plat Book 5, pages 48-49)

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

O'DELL MASON

3720 Reynolds Avenue



Fort Wayne, Indiana

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinance's be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Walter P. Helmke

(Name)

309 Standard Bldg, Ft. Wayne

422-7422

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

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Owners of Property

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(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.